

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PHILIP ROBERTS,)	2:13cv45
)	Electronic Filing
Plaintiff,)	
)	District Judge Cercone
v.)	Chief Magistrate Judge Lenihan
)	
ROBERT TRETNICK, Dir. Of)	
Med. Services, BRIAN COLEMAN,)	ECF No. 16, 19
)	
Defendants.)	

MEMORANDUM ORDER

Plaintiff delivered his Complaint to the Clerk of Courts for the United States District Court for the Western District of Pennsylvania on January 9, 2013. The Complaint was filed on January 22, 2013, and referred to Chief United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules of Court.

The Magistrate Judge's Report and Recommendation (ECF No. 19) filed on July 23, 2014, recommended that the Motion to Dismiss filed by Defendants Brian Coleman and Robert Tretnick (collectively "Defendants") (ECF No. 16) be granted. Service was made on all counsel of record and on the pro se Plaintiff at his last known address of record. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Local Rule of Court 72.D.2, the parties had fourteen (14) days from the date of service to file objections to the Report and Recommendation. No objections have been filed.

After review of the pleadings, and documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 22nd day of August, 2014, it is hereby **ORDERED** that the Motion to Dismiss (ECF No. 16) is **GRANTED**.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 19) of Chief Magistrate Judge Lenihan, dated July 23, 2014, is adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that the clerk shall mark the case **CLOSED**.



DAVID STEWART CERCOME
United States District Judge

cc: Philip Roberts
701 Penn Avenue
New Brighton, PA 15066
(*Via First Class Mail*)

Robert A. Willig, Esquire
(*Via CM/ECF Electronic Mail*)